

**REMARKS**

Favorable reconsideration and allowance of the subject application are respectfully requested in view of the following remarks.

**Summary of the Office Action**

Claims 1, 8-9 and 16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Curtin* (U.S. Patent No. 5,216,324) in view of *Itoh* (U.S. Patent No. 5,834,885) and further in view of *Shibata et al.* (U.S. Patent No. 6,153,973).

Claims 2-4 and 15 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Curtin* and further in view of *Itoh* and *Shibata et al.* as applied to claim 1 above, and further in view of *Nakatani et al.* (U.S. Patent No. 6,008,576).

Claims 5, 6, and 11 stand rejected under 35 U.S.C. 103(a) as being unpatentable over *Curtin* in view of *Itoh* and *Shibata et al.* as applied to claim 1 above, and further in view of *Yanagisawa et al.* (U.S. Patent No. 6,259,198).

Claim 10 stands rejected under 35 U.S.C. 103 (a) as being unpatentable over *Curtin* in view of *Itoh* and *Shibata et al.* as applied to claim 1 above, and further in view of *Nakamoto et al.* (U.S. Patent No. 6,281,621).

Claims 12-14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, as indicated in the previous action.

**Summary of the Response to the Office Action**

A Submission of Replacement Drawings with attached six replacement drawing sheets is submitted herewith. Applicant proposes to cancel claims 1, 6, and 12 without prejudice or disclaimer, and to amend claims 2, 5, 8, 11, 13, 15 and 16 by this amendment. Claims 17-20

have been withdrawn from consideration pursuant to 37 C.F.R. 1.142(b). Upon entry of this paper, claims 2-5, 8-11, and 13-16 will be pending for consideration.

### **The Disposition of the Claims**

Applicant appreciates the Examiner's indication that claims 12-14 would be allowable if rewritten in independent form, as indicated in the previous action dated February 28, 2003. See paragraph 7 of the Office Action. Accordingly, Applicant proposes rewriting claim claim 13 in independent form including all the limitation of the base claim without narrowing the intended scope of the originally filed claim 1. Thus, it is respectfully submitted that claim 13 is now in condition for allowance.

Applicant further proposes canceling claim 1, 6 and 12 without prejudice or disclaimer, and amending claim 2, 5, 8, 15 and 16 to depend from claim 13. Thus, it is respectfully submitted that proposed-amended claims 2-5, 8-11, 14-16 are allowable at least because of their dependence upon claim 13, which has been indicated as containing allowable subject matter. It is also respectfully requested withdrawal of the rejections of claims 1, 6 and 12 as the cancellation of claims 1, 6 and 12 renders the rejections moot.


### **Conclusion**

In view of the foregoing, Applicant respectfully requests the entry of this Amendment to place the application in clear condition for allowance or, in alternative, in better form for appeal. Applicant also respectfully requests the Examiner's reconsideration and reexamination of the application and the timely allowance of the pending claims. Should there remain any questions or comments regarding this response or the application in general, the Examiner is urged to contact the undersigned at the number listed below.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

By:   
Victoria D. Hao  
Registration No. 47,630

Dated: November 4, 2003

**Customer No.: 009629**  
**MORGAN, LEWIS & BOCKIUS LLP**  
1111 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
Telephone: 202.739.3000  
Facsimile: 202.739.3001